

110TH CONGRESS
2D SESSION

H. R. 7072

To make technical corrections in the Ensuring Continued Access to Student
Loans Act of 2008.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2008

Mr. McKEON (for himself, Mr. KELLER of Florida, Mr. HOEKSTRA, Mr. PLATTS, Mr. WILSON of South Carolina, Mr. KLINE of Minnesota, Mr. MARCHANT, Mr. FORTUÑO, Mr. BOUSTANY, Mr. BISHOP of Utah, Mr. DAVID DAVIS of Tennessee, and Mrs. BIGGERT) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To make technical corrections in the Ensuring Continued
Access to Student Loans Act of 2008.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CLARIFICATION OF STUDENT LOAN PURCHASE**

4 **AUTHORITY.**

5 (a) **AUTHORITY TO PURCHASE.**—Subsection (a) of
6 section 459A of the Higher Education Act of 1965 (20
7 U.S.C. 1087i–1(a)) is amended—

8 (1) in paragraph (1)—

1 (A) by striking “or enter into forward”
2 and inserting “or enter into and fund forward”;

3 (B) by inserting “428F,” before “or 428H,
4 whether”; and

5 (C) by inserting “, or qualifying for loan
6 rehabilitation under section 428F,” before “on
7 or after October 1, 2003”; and

8 (2) by adding at the end the following new
9 paragraph:

10 “(3) NOTICE OF PURCHASE OF LOANS QUALI-
11 FYING FOR LOAN REHABILITATION.—The Secretary,
12 the Secretary of the Treasury, and the Director of
13 the Office of Management and Budget, shall, prior
14 to any purchase of loans qualifying for loan rehabili-
15 tation under section 428F, jointly publish a notice in
16 the Federal Register containing the information re-
17 quired under subparagraphs (A) through (C) of
18 paragraph (2) with respect to the purchase of loans
19 under such section.”.

20 (b) CONTINUED PARTICIPATION AS CONDITION OF
21 PURCHASE.—Subsection (b) of such section 459A is
22 amended to read as follows:

23 “(b) CONTINUED PARTICIPATION AS CONDITION OF
24 PURCHASE.—The Secretary shall require, as a condition
25 of any purchase or forward commitment to purchase

1 under subsection (a), that the lender shall originate or
2 purchase new Federal loans, as authorized under part B
3 of this title.”.

4 (c) MAINTAINING SERVICING ARRANGEMENTS.—
5 Subsection (c) of such section 459A is amended—

6 (1) by striking “Secretary may” and all that
7 follows through “, provided” and inserting “Sec-
8 retary shall enter into a contract for servicing of the
9 loans being purchased under this section with the
10 current servicer of such loans, provided”;

11 (2) by striking “and” at the end of paragraph
12 (1);

13 (3) by redesignating paragraph (2) as para-
14 graph (3); and

15 (4) by inserting after paragraph (1) the fol-
16 lowing new paragraph:

17 “(2) the servicer meets the requirements of
18 each applicable Federal law and regulation with re-
19 spect to the servicing of Federal student loans, as
20 determined by the Secretary; and”.

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